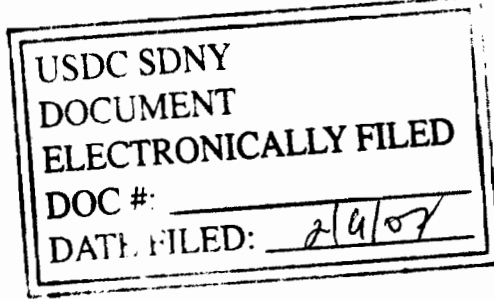


KURLAND & ASSOCIATES, P.C.

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MEMO ENDORSED

February 6, 2007

VIA FEDERAL EXPRESS

Honorable Kenneth M. Karas
United States District Court
Southern District of New York
500 Pearl Street, Room 920
New York, NY 10007

Re: Dunlop v. The City of New York, et al. 06 cv 433 (KMK) (JCF)

Dear Judge Karas,

As you are aware this office represents the Plaintiff in the above referenced matter. During our pre-motion conference before Your Honor on February 2, 2007, we advised the Court of a problem that our office encountered while electronically filing our Second Amended Complaint on January 16, 2007.

In specific, after paper filing the Complaint with the Clerk's office on January 16, 2006, we electronically filed within twenty four hours of the paper filing in accordance with ECF policy. Annexed hereto is a copy of the email that was sent to openings asking them to electronically file the Second Amended Complaint which was sent at 7:16 pm on January 16, 2007.

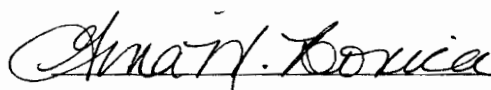
However, ECF incorrectly placed a note on the docket sheet that Plaintiff's counsel did not electronically file within 24 hrs of paper filing the Amended Complaint. Upon learning of this we immediately contacted ECF and forwarded to them a copy of our email sent to case openings.

I then spoke to a supervisor at ECF by the name of John Sacko who advised me that it is the policy of ECF not to take anything off of a docket sheet and that any corrections to the docket must be remedied by the Judge.

Accordingly, we respectfully request that Your Honor direct that the Second Amended Complaint be accepted without prejudice and note the same on the docket sheet. Thank you in advance.

Respectfully Submitted,

KURLAND & ASSOCIATES, P.C.

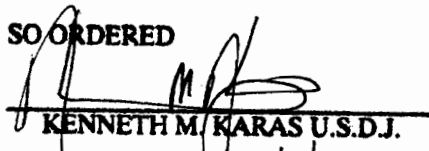


Gina M. Bonica

Cc: James Mirro, Esq.

Michael Morgan, Esq.

SO ORDERED


KENNETH M. KARAS U.S.D.J.
2/8/07

Enc.